

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2534

To revise and improve the process for disposing of buildings and property  
at military installations under the base closure laws.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 6 (legislative day, SEPTEMBER 12), 1994

Mr. MITCHELL (for himself, Mr. DOLE, Mr. PRYOR, Mrs. FEINSTEIN, Mr. MCCAIN, Mr. CAMPBELL, Mr. SIMON, Mr. WOFFORD, Mr. THURMOND, Mr. ROBB, Mr. MACK, Mr. ROTH, Mr. PELL, Mrs. HUTCHISON, Mrs. BOXER, Mr. SMITH, Mr. LAUTENBERG, Mr. WARNER, Mr. GRAHAM, Mr. GLENN, and Mr. GREGG) introduced the following bill; which was read twice, considered; read the third time and passed

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## A BILL

To revise and improve the process for disposing of buildings  
and property at military installations under the base  
closure laws.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

### 3   **SECTION 1. SHORT TITLE.**

4       This Act may cited as the “Base Closure Community  
5   Redevelopment and Homeless Assistance Act of 1994”.

1 **SEC. 2. DISPOSAL OF BUILDINGS AND PROPERTY AT MILI-**  
2 **TARY INSTALLATIONS APPROVED FOR CLO-**  
3 **SURE.**

4 (a) IN GENERAL.—Section 2905(b) of the Defense  
5 Base Closure and Realignment Act of 1990 (part A of title  
6 XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is  
7 amended—

8 (1) by redesignating paragraph (7) as para-  
9 graph (8); and

10 (2) by inserting after paragraph (6) the follow-  
11 ing new paragraph (7):

12 “(7)(A) Determinations of the use to assist the home-  
13 less of buildings and property located at installations ap-  
14 proved for closure under this part after the date of the  
15 enactment of this paragraph shall be determined under  
16 this paragraph rather than paragraph (6).

17 “(B)(i) Not later than the date on which the Sec-  
18 retary of Defense completes the final determinations re-  
19 ferred to in paragraph (5) relating to the use or transfer-  
20 ability of any portion of an installation covered by this  
21 paragraph, the Secretary shall—

22 “(I) identify the buildings and property at the  
23 installation for which the Department of Defense  
24 has a use, for which another department or agency  
25 of the Federal Government has identified a use, or

1 of which another department or agency will accept  
2 a transfer;

3 “(II) take such actions as are necessary to  
4 identify any building or property at the installation  
5 not identified under subclause (I) that is excess  
6 property or surplus property;

7 “(III) submit to the Secretary of Housing and  
8 Urban Development and to the redevelopment au-  
9 thority for the installation (or the chief executive of-  
10 ficer of the State in which the installation is located  
11 if there is no redevelopment authority for the instal-  
12 lation at the completion of the determination de-  
13 scribed in the stem of this sentence) information on  
14 any building or property that is identified under  
15 subclause (II); and

16 “(IV) publish in the Federal Register and in a  
17 newspaper of general circulation in the communities  
18 in the vicinity of the installation information on the  
19 buildings and property identified under subclause  
20 (II).

21 “(ii) Upon the recognition of a redevelopment author-  
22 ity for an installation covered by this paragraph, the Sec-  
23 retary of Defense shall publish in the Federal Register and  
24 in a newspaper of general circulation in the communities

1 in the vicinity of the installation information on the rede-  
2 velopment authority.

3 “(C)(i) State and local governments, representatives  
4 of the homeless, and other interested parties located in  
5 the communities in the vicinity of an installation covered  
6 by this paragraph shall submit to the redevelopment au-  
7 thority for the installation a notice of the interest, if any,  
8 of such governments, representatives, and parties in the  
9 buildings or property, or any portion thereof, at the instal-  
10 lation that are identified under subparagraph (B)(i)(II).  
11 A notice of interest under this clause shall describe the  
12 need of the government, representative, or party concerned  
13 for the buildings or property covered by the notice.

14 “(ii) The redevelopment authority for an installation  
15 shall assist the governments, representatives, and parties  
16 referred to in clause (i) in evaluating buildings and prop-  
17 erty at the installation for purposes of this subparagraph.

18 “(iii) In providing assistance under clause (ii), a rede-  
19 velopment authority shall—

20 “(I) consult with representatives of the home-  
21 less in the communities in the vicinity of the instal-  
22 lation concerned; and

23 “(II) undertake outreach efforts to provide in-  
24 formation on the buildings and property to rep-  
25 resentatives of the homeless, and to other persons or

1 entities interested in assisting the homeless, in such  
2 communities.

3 “(iv) It is the sense of Congress that redevelopment  
4 authorities should begin to conduct outreach efforts under  
5 clause (iii)(II) with respect to an installation as soon as  
6 is practicable after the date of approval of closure of the  
7 installation.

8 “(D)(i) State and local governments, representatives  
9 of the homeless, and other interested parties shall submit  
10 a notice of interest to a redevelopment authority under  
11 subparagraph (C) not later than the date specified for  
12 such notice by the redevelopment authority.

13 “(ii) The date specified under clause (i) shall be—

14 “(I) in the case of an installation for which a  
15 redevelopment authority has been recognized as of  
16 the date of the completion of the determinations re-  
17 ferred to in paragraph (5), not earlier than 3  
18 months and not later than 6 months after that date;  
19 and

20 “(II) in the case of an installation for which a  
21 redevelopment authority is not recognized as of such  
22 date, not earlier than 3 months and not later than  
23 6 months after the date of the recognition of a rede-  
24 velopment authority for the installation.

1       “(iii) Upon specifying a date for an installation under  
2 this subparagraph, the redevelopment authority for the in-  
3 stallation shall—

4               “(I) publish the date specified in a newspaper  
5 of general circulation in the communities in the vi-  
6 cinity of the installation concerned; and

7               “(II) notify the Secretary of Defense of the  
8 date.

9       “(E)(i) In submitting to a redevelopment authority  
10 under subparagraph (C) a notice of interest in the use  
11 of buildings or property at an installation to assist the  
12 homeless, a representative of the homeless shall submit the  
13 following:

14               “(I) A description of the homeless assistance  
15 program that the representative proposes to carry  
16 out at the installation.

17               “(II) An assessment of the need for the pro-  
18 gram.

19               “(III) A description of the extent to which the  
20 program is or will be coordinated with other home-  
21 less assistance programs in the communities in the  
22 vicinity of the installation.

23               “(IV) A description of the buildings and prop-  
24 erty at the installation that are necessary in order  
25 to carry out the program.

1           “(V) A description of the financial plan, the or-  
2           ganization, and the organizational capacity of the  
3           representative to carry out the program.

4           “(VI) An assessment of the time required in  
5           order to commence carrying out the program.

6           “(ii) A redevelopment authority may not release to  
7           the public any information submitted to the redevelopment  
8           authority under clause (i)(V) without the consent of the  
9           representative of the homeless concerned unless such re-  
10          lease is authorized under Federal law and under the law  
11          of the State and communities in which the installation  
12          concerned is located.

13          “(F)(i) The redevelopment authority for each instal-  
14          lation covered by this paragraph shall prepare a redevel-  
15          opment plan for the installation. The redevelopment author-  
16          ity shall, in preparing the plan, consider the interests in  
17          the use to assist the homeless of the buildings and prop-  
18          erty at the installation that are expressed in the notices  
19          submitted to the redevelopment authority under subpara-  
20          graph (C).

21          “(ii)(I) In connection with a redevelopment plan for  
22          an installation, a redevelopment authority and representa-  
23          tives of the homeless shall prepare legally binding agree-  
24          ments that provide for the use to assist the homeless of  
25          buildings and property, resources, and assistance on or off

1 the installation. The implementation of such agreements  
2 shall be contingent upon the approval of the redevelop-  
3 ment plan by the Secretary of Housing and Urban Devel-  
4 opment under subparagraph (H) or (J).

5 “(II) Agreements under this clause shall provide for  
6 the reversion to the redevelopment authority concerned, or  
7 to such other entity or entities as the agreements shall  
8 provide, of buildings and property that are made available  
9 under this paragraph for use to assist the homeless in the  
10 event that such buildings and property cease being used  
11 for that purpose.

12 “(iii) A redevelopment authority shall provide oppor-  
13 tunity for public comment on a redevelopment plan before  
14 submission of the plan to the Secretary of Defense and  
15 the Secretary of Housing and Urban Development under  
16 subparagraph (G).

17 “(iv) A redevelopment authority shall complete prepa-  
18 ration of a redevelopment plan for an installation and sub-  
19 mit the plan under subparagraph (G) not later than 9  
20 months after the date specified by the redevelopment au-  
21 thority for the installation under subparagraph (D).

22 “(G)(i) Upon completion of a redevelopment plan  
23 under subparagraph (F), a redevelopment authority shall  
24 submit an application containing the plan to the Secretary



1 of Defense and to the Secretary of Housing and Urban  
2 Development.

3 “(ii) A redevelopment authority shall include in an  
4 application under clause (i) the following:

5 “(I) A copy of the redevelopment plan, includ-  
6 ing a summary of any public comments on the plan  
7 received by the redevelopment authority under sub-  
8 paragraph (F)(iii).

9 “(II) A copy of each notice of interest of use of  
10 buildings and property to assist the homeless that  
11 was submitted to the redevelopment authority under  
12 subparagraph (C), together with a description of the  
13 manner, if any, in which the plan addresses the in-  
14 terest expressed in each such notice and, if the plan  
15 does not address such an interest, an explanation  
16 why the plan does not address the interest.

17 “(III) A summary of the outreach undertaken  
18 by the redevelopment authority under subparagraph  
19 (C)(iii)(II) in preparing the plan.

20 “(IV) A statement identifying the representa-  
21 tives of the homeless and the homeless assistance  
22 planning boards, if any, with which the redevelop-  
23 ment authority consulted in preparing the plan, and  
24 the results of such consultations.

1           “(V) An assessment of the manner in which the  
2           redevelopment plan balances the expressed needs of  
3           the homeless and the need of the communities in the  
4           vicinity of the installation for economic redevelopment  
5           and other development.

6           “(VI) Copies of the agreements that the redevelopment  
7           authority proposes to enter into under  
8           subparagraph (F)(ii).

9           “(H)(i) Not later than 60 days after receiving a redevelopment  
10          plan under subparagraph (G), the Secretary of  
11          Housing and Urban Development shall complete a review  
12          of the plan. The purpose of the review is to determine  
13          whether the plan, with respect to the expressed interest  
14          and requests of representatives of the homeless—

15               “(I) takes into consideration the size and nature  
16               of the homeless population in the communities  
17               in the vicinity of the installation, the availability of  
18               existing services in such communities to meet the  
19               needs of the homeless in such communities, and the  
20               suitability of the buildings and property covered by  
21               the plan for the use and needs of the homeless in  
22               such communities;

23               “(II) takes into consideration any economic impact  
24               of the homeless assistance under the plan on  
25               the communities in the vicinity of the installation;

1           “(III) balances in an appropriate manner the  
2       needs of the communities in the vicinity of the in-  
3       stallation for economic redevelopment and other de-  
4       velopment with the needs of the homeless in such  
5       communities;

6           “(IV) was developed in consultation with rep-  
7       resentatives of the homeless and the homeless assist-  
8       ance planning boards, if any, in the communities in  
9       the vicinity of the installation; and

10          “(V) specifies the manner in which buildings  
11       and property, resources, and assistance on or off the  
12       installation will be made available for homeless as-  
13       sistance purposes.

14          “(ii) It is the sense of Congress that the Secretary  
15       of Housing and Urban Development shall, in completing  
16       the review of a plan under this subparagraph, take into  
17       consideration and be receptive to the predominant views  
18       on the plan of the communities in the vicinity of the instal-  
19       lation covered by the plan.

20          “(iii) The Secretary of Housing and Urban Develop-  
21       ment may engage in negotiations and consultations with  
22       a redevelopment authority before or during the course of  
23       a review under clause (i) with a view toward resolving any  
24       preliminary determination of the Secretary that a redevel-  
25       opment plan does not meet a requirement set forth in that

1 clause. The redevelopment authority may modify the rede-  
2 velopment plan as a result of such negotiations and con-  
3 sultations.

4 “(iv) Upon completion of a review of a redevelopment  
5 plan under clause (i), the Secretary of Housing and Urban  
6 Development shall notify the Secretary of Defense and the  
7 redevelopment authority concerned of the determination of  
8 the Secretary of Housing and Urban Development under  
9 that clause.

10 “(v) If the Secretary of Housing and Urban Develop-  
11 ment determines as a result of such a review that a rede-  
12 velopment plan does not meet the requirements set forth  
13 in clause (i), a notice under clause (iv) shall include—

14 “(I) an explanation of that determination; and

15 “(II) a statement of the actions that the rede-  
16 velopment authority must undertake in order to ad-  
17 dress that determination.

18 “(I)(i) Upon receipt of a notice under subparagraph  
19 (H)(iv) of a determination that a redevelopment plan does  
20 not meet a requirement set forth in subparagraph (H)(i),  
21 a redevelopment authority shall have the opportunity to—

22 “(I) revise the plan in order to address the de-  
23 termination; and

24 “(II) submit the revised plan to the Secretary  
25 of Housing and Urban Development.

1       “(ii) A redevelopment authority shall submit a revised  
2 plan under this subparagraph to the Secretary of Housing  
3 and Urban Development, if at all, not later than 90 days  
4 after the date on which the redevelopment authority re-  
5 ceives the notice referred to in clause (i).

6       “(J)(i) Not later than 30 days after receiving a re-  
7 vised redevelopment plan under subparagraph (I), the Sec-  
8 retary of Housing and Urban Development shall review  
9 the revised plan and determine if the plan meets the re-  
10 quirements set forth in subparagraph (H)(i).

11       “(ii) The Secretary of Housing and Urban Develop-  
12 ment shall notify the Secretary of Defense and the redevel-  
13 opment authority concerned of the determination of the  
14 Secretary of Housing and Urban Development under this  
15 subparagraph.

16       “(K) Upon receipt of a notice under subparagraph  
17 (H)(vi) or (J)(ii) of the determination of the Secretary of  
18 Housing and Urban Development that a redevelopment  
19 plan for an installation meets the requirements set forth  
20 in subparagraph (H)(i), the Secretary of Defense shall dis-  
21 pose of the buildings and property located at the installa-  
22 tion that are identified in the plan as available for use  
23 to assist the homeless in accordance with the provisions  
24 of the plan. The Secretary of Defense may dispose of such  
25 buildings or property directly to the representatives of the

1 homeless concerned or to the redevelopment authority con-  
2 cerned. The Secretary of Defense shall dispose of the  
3 buildings and property under this subparagraph without  
4 consideration.

5 “(L)(i) If the Secretary of Housing and Urban Devel-  
6 opment determines under subparagraph (J) that a revised  
7 redevelopment plan for an installation does not meet the  
8 requirements set forth in subparagraph (H)(i), or if no  
9 revised plan is so submitted, that Secretary shall—

10 “(I) review the original redevelopment plan sub-  
11 mitted to that Secretary under subparagraph (G),  
12 including the notice or notices of representatives of  
13 the homeless referred to in clause (ii)(II) of that  
14 subparagraph;

15 “(II) consult with the representatives referred  
16 to in subclause (I), if any, for purposes of evaluating  
17 the continuing interest of such representatives in the  
18 use of buildings or property at the installation to as-  
19 sist the homeless;

20 “(III) request that each such representative  
21 submit to that Secretary the items described in  
22 clause (ii); and

23 “(IV) based on the actions of that Secretary  
24 under subclauses (I) and (II), and on any informa-  
25 tion obtained by that Secretary as a result of such

1 actions, indicate to the Secretary of Defense the  
2 buildings and property at the installation that meet  
3 the requirements set forth in subparagraph (H)(i).

4 “(ii) The Secretary of Housing and Urban Develop-  
5 ment may request under clause (i)(III) that a representa-  
6 tive of the homeless submit to that Secretary the following:

7 “(I) A description of the program of such rep-  
8 resentative to assist the homeless.

9 “(II) A description of the manner in which the  
10 buildings and property that the representative pro-  
11 poses to use for such purpose will assist the home-  
12 less.

13 “(III) Such information as that Secretary re-  
14 quires in order to determine the financial capacity of  
15 the representative to carry out the program and to  
16 ensure that the program will be carried out in com-  
17 pliance with Federal environmental law and Federal  
18 law against discrimination.

19 “(IV) A certification that police services, fire  
20 protection services, and water and sewer services  
21 available in the communities in the vicinity of the in-  
22 stallation concerned are adequate for the program.

23 “(iii) The Secretary of Housing and Urban Develop-  
24 ment shall indicate to the Secretary of Defense and to the  
25 redevelopment authority concerned the buildings and

1 property at an installation under clause (i)(IV) to be dis-  
2 posed of not later than 90 days after the date of a receipt  
3 of a revised plan for the installation under subparagraph  
4 (J).

5 “(iv) The Secretary of Defense shall dispose of the  
6 buildings and property at an installation referred to in  
7 clause (iii) to entities indicated by the Secretary of Hous-  
8 ing and Urban Development or by transfer to the redevel-  
9 opment authority concerned for transfer to such entities.  
10 Such disposal shall be in accordance with the indications  
11 of the Secretary of Housing and Urban Development  
12 under clause (i)(IV). Such disposal shall be without con-  
13 sideration.

14 “(M)(i) In the event of the disposal of buildings and  
15 property of an installation pursuant to subparagraph (K),  
16 the redevelopment authority for the installation shall be  
17 responsible for the implementation of and compliance with  
18 agreements under the redevelopment plan described in  
19 that subparagraph for the installation.

20 “(ii) If a building or property reverts to a redevel-  
21 opment authority under such an agreement, the redevel-  
22 opment authority shall take appropriate actions to secure,  
23 to the maximum extent practicable, the utilization of the  
24 building or property by other homeless representatives to  
25 assist the homeless. A redevelopment authority may not



1 be required to utilize the building or property to assist  
2 the homeless.

3       “(N) The Secretary of Defense may postpone or ex-  
4 tend any deadline provided for under this paragraph in  
5 the case of an installation covered by this paragraph for  
6 such period as the Secretary considers appropriate if the  
7 Secretary determines that such postponement is in the in-  
8 terests of the communities affected by the closure of the  
9 installation. The Secretary shall make such determina-  
10 tions in consultation with the redevelopment authority  
11 concerned and, in the case of deadlines provided for under  
12 this paragraph with respect to the Secretary of Housing  
13 and Urban Development, in consultation with the Sec-  
14 retary of Housing and Urban Development.

15       “(O) For purposes of this paragraph, the term ‘com-  
16 munities in the vicinity of the installation’, in the case of  
17 an installation, means the communities that constitute the  
18 political jurisdictions (other than the State in which the  
19 installation is located) that comprise the redevelopment  
20 authority for the installation.”.

21       (b) DEFINITION.—Section 2910 of such Act is  
22 amended by adding at the end the following:

23               “(10) The term ‘representative of the homeless’  
24 has the meaning given such term in section

1       501(h)(4) of the Stewart B. McKinney Homeless As-  
2       sistance Act (42 U.S.C. 11411(h)(4)).”.

3       (c) CONFORMING AMENDMENT TO 1990 BASE CLO-  
4       SURE ACT.—Section 2905(b)(6)(A) of such Act is amend-  
5       ed by adding at the end the following: “For procedures  
6       relating to the use to assist the homeless of buildings and  
7       property at installations closed under this part after the  
8       date of the enactment of this sentence, see paragraph  
9       (7).”.

10       (d) CONFORMING AMENDMENT TO MCKINNEY  
11       ACT.—Section 501 of the Stewart B. McKinney Homeless  
12       Assistance Act (42 U.S.C. 11411) is amended—

13               (1) by redesignating subsection (h) as sub-  
14       section (i); and

15               (2) by inserting after subsection (g) the follow-  
16       ing new subsection (h):

17       “(h) APPLICABILITY TO PROPERTY UNDER BASE  
18       CLOSURE PROCESS.—(1) The provisions of this section  
19       shall not apply to buildings and property at military instal-  
20       lations that are approved for closure under the Defense  
21       Base Closure and Realignment Act of 1990 (part A of title  
22       XXIX of Public Law 101–510; 10 U.S.C. 2687 note) after  
23       the date of the enactment of this subsection.

24       “(2) For provisions relating to the use to assist the  
25       homeless of buildings and property located at certain mili-

1 tary installations approved for closure under such Act, or  
2 under title II of the Defense Authorization Amendments  
3 and Base Closure and Realignment Act (Public Law 100–  
4 526; 10 U.S.C. 2687 note), before such date, see section  
5 2(e) of Base Closure Community Redevelopment and  
6 Homeless Assistance Act of 1994.”.

7 (e) APPLICABILITY TO INSTALLATIONS APPROVED  
8 FOR CLOSURE BEFORE ENACTMENT OF ACT.—(1)(A)  
9 Notwithstanding any provision of the 1988 base closure  
10 Act or the 1990 base closure Act, as such provision was  
11 in effect on the day before the date of the enactment of  
12 this Act, and subject to subparagraphs (B) and (C), the  
13 use to assist the homeless of building and property at mili-  
14 tary installations approved for closure under the 1988  
15 base closure Act or the 1990 base closure Act, as the case  
16 may be, before such date shall be determined in accord-  
17 ance with the provisions of paragraph (7) of section  
18 2905(b) of the 1990 base closure Act, as amended by sub-  
19 section (a), in lieu of the provisions of the 1988 base clo-  
20 sure Act or the 1990 base closure Act that would other-  
21 wise apply to the installations.

22 (B)(i) The provisions of such paragraph (7) shall  
23 apply to an installation referred to in subparagraph (A)  
24 only if the redevelopment authority for the installation

1 submits a request to the Secretary of Defense not later  
2 than 60 days after the date of the enactment of this Act.

3 (ii) In the case of an installation for which no redevel-  
4 opment authority exists on the date of the enactment of  
5 this Act, the chief executive officer of the State in which  
6 the installation is located shall submit the request referred  
7 to in clause (i) and act as the redevelopment authority  
8 for the installation.

9 (C) The provisions of such paragraph (7) shall not  
10 apply to any buildings or property at an installation re-  
11 ferred to in subparagraph (A) for which the redevelopment  
12 authority submits a request referred to in subparagraph  
13 (B) within the time specified in such subparagraph (B)  
14 if the buildings or property, as the case may be, have been  
15 transferred or leased for use to assist the homeless under  
16 the 1988 base closure Act or the 1990 base closure Act,  
17 as the case may be, before the date of the enactment of  
18 this Act.

19 (2) For purposes of the application of such paragraph  
20 (7) to the buildings and property at an installation, the  
21 date on which the Secretary receives a request with respect  
22 to the installation under paragraph (1) shall be treated  
23 as the date on which the Secretary of Defense completes  
24 the final determination referred to in subparagraph (B)  
25 of such paragraph (7).

1       (3) Upon receipt under paragraph (1)(B) of a timely  
2 request with respect to an installation, the Secretary of  
3 Defense shall publish in the Federal Register and in a  
4 newspaper of general circulation in the communities in the  
5 vicinity of the installation information describing the rede-  
6 velopment authority for the installation.

7       (4)(A) The Secretary of Housing and Urban Develop-  
8 ment and the Secretary of Health and Human Services  
9 shall not, during the 60-day period beginning on the date  
10 of the enactment of this Act, carry out with respect to  
11 any military installation approved for closure under the  
12 1988 base closure Act or the 1990 base closure Act before  
13 such date any action required of such Secretaries under  
14 the 1988 base closure Act or the 1990 base closure Act,  
15 as the case may be, or under section 501 of the Stewart  
16 B. McKinney Homeless Assistance Act (42 U.S.C.  
17 11411).

18       (B)(i) Upon receipt under paragraph (1)(A) of a  
19 timely request with respect to an installation, the Sec-  
20 retary of Defense shall notify the Secretary of Housing  
21 and Urban Development and the Secretary of Health and  
22 Human Services that the disposal of buildings and prop-  
23 erty at the installation shall be determined under such  
24 paragraph (7) in accordance with this subsection.

1       (ii) Upon receipt of a notice with respect to an instal-  
2       lation under this subparagraph, the requirements, if any,  
3       of the Secretary of Housing and Urban Development and  
4       the Secretary of Health and Human Services with respect  
5       to the installation under the provisions of law referred to  
6       in subparagraph (A) shall terminate.

7       (iii) Upon receipt of a notice with respect to an instal-  
8       lation under this subparagraph, the Secretary of Health  
9       and Human Services shall notify each representative of  
10      the homeless that submitted to that Secretary an applica-  
11      tion to use buildings or property at the installation to as-  
12      sist the homeless under the 1988 base closure Act or the  
13      1990 base closure Act, as the case may be, that the use  
14      of buildings and property at the installation to assist the  
15      homeless shall be determined under such paragraph (7)  
16      in accordance with this subsection.

17      (5)(A) In preparing a redevelopment plan for build-  
18      ings and property at an installation covered by such para-  
19      graph (7) by reason of this subsection, the redevelopment  
20      authority concerned shall—

21           (A) consider and address specifically any appli-  
22           cations for use of such buildings and property to as-  
23           sist the homeless that were received by the Secretary  
24           of Health and Human Services under the 1988 base  
25           closure Act or the 1990 base closure Act, as the case

1       may be, before the date of the enactment of this Act  
2       and are pending with that Secretary on that date;  
3       and

4               (B) in the case of any application by represent-  
5       atives of the homeless that was approved by the Sec-  
6       retary of Health and Human Services before the  
7       date of enactment of this Act, ensure that the plan  
8       adequately addresses the needs of the homeless iden-  
9       tified in the application by providing such represent-  
10      atives of the homeless with—

11               (i) properties, on or off the installation,  
12              that are substantially equivalent to the prop-  
13              erties covered by the application;

14               (ii) sufficient funding to secure such sub-  
15              stantially equivalent properties;

16               (iii) services and activities that meet the  
17              needs identified in the application; or

18               (iv) a combination of the properties, fund-  
19              ing, and services and activities described in  
20              clause (i), (ii), and (iii).

21       (6) In the case of an installation to which the provi-  
22      sions of such paragraph (7) apply by reason of this sub-  
23      section, the date specified by the redevelopment authority  
24      for the installation under subparagraph (D) of such para-  
25      graph (7) shall be not less than 1 month and not more

1 than 6 months after the date of the submittal of the re-  
2 quest with respect to the installation under paragraph  
3 (1)(B).

4 (7) For purposes of this subsection:

5 (A) The term “1988 base closure Act” means  
6 title II of the Defense Authorization Amendments  
7 and Base Closure and Realignment Act (Public Law  
8 100–526; 10 U.S.C. 2687 note).

9 (B) The term “1990 base closure Act” means  
10 the Defense Base Closure and Realignment Act of  
11 1990 (part A of title XXIX of Public Law 101–510;  
12 10 U.S.C. 2687 note).

13 (f) CLARIFYING AMENDMENTS TO BASE CLOSURE  
14 ACTS.—(1) Section 204(b)(6)(F)(i) of the Defense Au-  
15 thorization Amendments and Base Closure Act and Re-  
16 alignment Act (Public Law 100–526; 10 U.S.C. 2687  
17 note) is amended by inserting “and buildings and property  
18 referred to in subparagraph (B)(ii) which have not been  
19 identified as suitable for use to assist the homeless under  
20 subparagraph (C),” after “subparagraph (D),”.

21 (2) Section 2905(b)(6)(F)(i) of the Defense Base  
22 Closure and Realignment Act of 1990 (part A of title  
23 XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is  
24 amended by inserting “and buildings and property re-  
25 ferred to in subparagraph (B)(ii) which have not been



- 1 identified as suitable for use to assist the homeless under
- 2 subparagraph (C),” after “subparagraph (D),”.



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